

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

W.R. HUFF ASSET MANAGEMENT CO., L.L.C.,
as investment adviser and as attorney-in- fact on
behalf of a Beneficial Owner of Securities in
Adelphia Communications Corporation and Arahova
Communications, Inc. f/k/a Century
Communications Corporation Excluded from Class
Action Settlements,

Plaintiff,

-v-

DELOITTE & TOUCHE LLP; CITIGROUP
GLOBAL MARKETS HOLDINGS, INC. (f/k/a
SALOMON SMITH BARNEY INC. f/k/a SMITH
BARNEY INC.); BANC OF AMERICA
SECURITIES LLC; JOHN J. RIGAS; TIMOTHY J.
RIGAS; MICHAEL J. RIGAS; JAMES P. RIGAS;
and PETER L. VENETIS,

Defendants.

Civil Action No.: 0c-CV-0728S(F)

Honorable William M. Skretny, U.S.D.J.

**DECLARATION OF THOMAS E. REDBURN, JR.
IN RESPONSE TO NOTICE BEFORE DISMISSAL
FOR FAILURE TO PROSECUTE**

THOMAS E. REDBURN, JR., declares subject to the penalty of perjury that the following is true and correct:

1. I am a member of the firm of Lowenstein Sandler PC which, along with Damon & Morey LLP, serves as counsel for Plaintiff in the above-captioned action. As counsel for Plaintiff, I have personal knowledge of the facts and circumstances stated herein.

2. I make this declaration in response to the Court's Notice Before Dismissal for Failure to Prosecute, dated May 17, 2007.

3. This matter is related to the multi-district proceeding pending in the United States District Court for the Southern District of New York under the caption *In re Adelphia*

Communications Corp. Securities & Deriv. Litig., Docket No. 03 MD 15 29 (LMM) (the “Adelphia MDL Proceeding”). Plaintiff filed this action as investment adviser and attorney-in-fact for a beneficial owner of securities in Adelphia Communications Corporation and Arahova Communications, Inc. (the “Beneficial Owner”) who suffered damages as a result of Defendants’ violations of the federal securities laws. In October 2006, the Beneficial Owner excluded itself from the class action settlement reached in the Adelphia MDL Proceeding. Presently, individual actions pending in the Adelphia MDL Proceeding which, like the action at bar, allege claims under the federal securities laws are subject to an automatic stay of discovery pursuant to the Private Securities Litigation Reform Act.

4. Because the case at bar raises legal and factual issues similar to those at issue in the Adelphia MDL Proceeding, Plaintiff has filed a Notice of Potential Tag-Along Action with the Judicial Panel on Multidistrict Litigation (the “JPML”) requesting that the case be transferred to the Southern District of New York pursuant to 28 U.S.C. § 1407 for coordinated pretrial proceedings as part of the Adelphia MDL Proceeding. We expect the JPML to act on this notice within the next sixty days.

5. Accordingly, we respectfully request that the Court refrain from any action with respect to the above-captioned proceeding until the transfer issue has been resolved. If, as we fully expect, the case is transferred, then pretrial proceedings in this matter will proceed before the Southern District of New York in coordination with the other cases pending in the Adelphia MDL Proceeding. If, on the other hand, transfer is denied, then Plaintiff is fully prepared to proceed before this Court.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the above statements are true and correct.

DATED: June 19, 2007
Roseland, New Jersey

Respectfully submitted,

/s/ Thomas E. Redburn, Jr.

Thomas E. Redburn, Jr.

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